



BEST AVAILABLE COPY

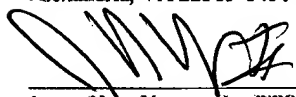
Application No.: 09/708,309
Amendment Dated: 27 October 2004
Reply to Final Office Action of: 27 May 2004
Attorney Docket No.: FPC3
Customer No.: 06980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|----------------------------------|---|-----------------------------------|
| IN RE APPLICATION OF: |) | EXAMINER: Andrew D. Wright |
| Gilmer, Patti C. |) | |
| APPLICATION SERIAL NO.: |) | GROUP ART UNIT: 3617 |
| 09/708,309 |) | |
| FILED: November 7, 2000 |) | CONFIRMATION NO.: 1250 |
| TITLE: FLOTATION SWIMSUIT |) | |
| AND METHOD FOR |) | DOCKET NO.: FPC3 |
| CONSTRUCTION THEREOF |) | |

Express Mail Mailing Label Number: EV 520645471 US

In accordance with 37 CFR § 1.10, I hereby certify that this Correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Address" to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2004.


James Hunt Yancey, Jr., PTO Reg. No. 53,809

37 C.F.R. § 1.131 DECLARATION

MAIL STOP RCE
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Patti C. Gilmer, declare as follows:

1. I acknowledge under the penalty of perjury pursuant to 18 U.S.C. § 1001, that willful false statements and the like are punishable by fine or imprisonment, or both, and may jeopardize the validity of the above identified patent application or any patent issuing from the above identified patent application.

2. I am the sole inventor of the inventions claimed and disclosed in United States Non-Provisional Patent Application Serial Number 09/708,309 ("non-provisional application") filed November 7, 2000 and disclosed in United States Provisional Patent Application Serial Number 60/164,305 ("provisional application") filed November 8, 1999. The non-provisional application claims priority to the provisional application.

3. I conceived the inventions claimed and disclosed in the provisional and non-provisional applications ("inventions") in this country prior to 19 October 1999, the effective reference date of *Grunstein* (U.S. Patent No. 6,544,367). *Grunstein* is presently cited against my pending non-provisional application.

4. After conceiving the inventions, I diligently reduced the inventions to practice and diligently worked with my intellectual property counsel to prepare and file the provisional application for the inventions.

5. I caused my intellectual property counsel to conduct a search on the inventions on or about 21 May 1999 as evidenced by the attached letter to me from my intellectual property counsel. (See 21 May 1999 Letter at Exhibit A).

6. On or about 9 August 1999, I had a conference with my intellectual property counsel to discuss the inventions, disclosure materials, and results of the search. A copy of my intellectual property counsel's time records for August 1999 is attached to show that I met with my

intellectual property counsel to discuss the inventions. (See August 1999 Time Records at Exhibit B).

7. After discussing my inventions and the preliminary search results with my intellectual property counsel, I authorized my intellectual property counsel to prepare the provisional application. A copy of my intellectual property counsel's matter initiation form dated 19 August 1999 is attached to show that I authorized my intellectual property counsel to prepare the provisional application. (See New Matter Initiation Form at Exhibit C).

8. After I authorized my intellectual property counsel to prepare the provisional application, my intellectual property counsel began preparing the provisional application in August 1999 and continued to prepare the provisional application until it was filed in November 1999. A copy of my intellectual property counsel's time records for August-November 1999 is attached to show that my intellectual property counsel prepared the provisional application during this time frame. (See August, October, and November 1999 Time Records at Exhibit D).

9. During the preparation of the provisional application, I worked with my intellectual property counsel to finalize and edit the provisional application. I received and reviewed the first draft of the provisional application on or about 29 October 1999 as evidenced by the attached letter to from my intellectual property counsel dated 29 October 1999. (See 29 October 1999 Letter at Exhibit E; see also November 1999 time records at Exhibit D regarding my participation in finalizing the provisional application).


10. I caused my intellectual property counsel to make revisions to the first draft of the provisional application as evidenced by the attached fax discussing revisions dated 3 November 1999. (See 3 November 1999 Fax at Exhibit F).

11. After my intellectual property counsel revised and finalized the provisional application, my intellectual property counsel filed the provisional application on 8 November 1999. (See Provisional Application Filing Receipt at Exhibit G).

12. Prior to the expiration of the provisional application, I authorized my intellectual property counsel to file the non-provisional application and claim priority to the provisional application. The non-provisional application was filed on 7 November 2000. (See Non-Provisional Filing Receipt at Exhibit H).

13. My intellectual property counsel and I worked substantially continuously from on or about 21 May 1999 until the provisional application was filed on 8 November 1999. I have never abandoned the inventions claimed and disclosed in the provisional and non-provisional applications.

This 20th day of October, 2004.


Patti C. Gilmer

TROUTMAN SANDERS LLP

ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

NATIONSBANK PLAZA
800 PEACHTREE STREET, N.E. - SUITE 5200
ATLANTA, GEORGIA 30308-2218
www.troutmansanders.com
TELEPHONE: 404-885-3000
FACSIMILE: 404-885-3900

Gerald R. Boss
gerald.boss@troutmansanders.com

Direct Dial: 404-885-3822
Direct Fax: 404-962-8512

May 21, 1999

Ms. Patti Gilmer
President
Future Products Corporation
P.O. Box 2993
Gainesville, Georgia 30503

Re: Patentability Search for Babies Flotation Swimsuit

Dear Patti:

Pursuant to your request, a patentability search was directed towards a flotation swimsuit device used by infants. The flotation device consists of a general body garment having shoulder straps and leg openings. The primary garment body is sewn to define a front pocket and a back pocket. Within the respective pockets, a pair of flotation supports are enclosed. Each flotation support includes a plurality of foam sheets laid upon one another and encased within a cloth covering. The cloth covering is stitched with four horizontal stitchings to define a plurality of cells.

The following patents were produced:

| Patent No. | Patent Title | Issue Date |
|------------|--|--------------------|
| 267,799 | CORK SWIMMING SUIT | November 21, 1882 |
| 1,002,912 | UNION BATHING SUIT | September 12, 1911 |
| 1,812,936 | CELLULAR MATERIAL FOR SAFETY GARMENTS | July 7, 1931 |
| 3,144,668 | SAFETY PLAY SUIT | August 18, 1964 |
| 4,287,250 | ELASTOMERIC CUSHIONING DEVICES FOR PRODUCTS AND OBJECTS | September 1, 1981 |

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ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

Ms. Patti Gilmer
May 21, 1999
Page 2

| Patent No. | Patent Title | Issue Date |
|------------|--|--------------------|
| 4,689,030 | HYDROTHERAPY VEST | August 25, 1987 |
| 5,030,153 | FLOTATION VEST | July 9, 1991 |
| 5,092,802 | BODY BUOY | March 3, 1992 |
| 5,452,477 | ITEM OF SWIMMING WEAR | September 26, 1995 |
| 5,746,632 | FLOATATION AID | May 5, 1998 |
| 5,459,874 | CONSTRUCTION OF FLOTATION SWIMSUITS | October 24, 1995 |
| 5,775,967 | DIAPER SWIM SUIT | July 7, 1998 |
| 5,778,451 | BUOYANT SWIM GARMENT AND METHOD OF MANUFACTURE | July 14, 1998 |
| 5,823,838 | LIFE-JACKET | October 20, 1998 |

The '874 patent is a prior patent issued and assigned to Future Products, Inc. Basically, this patent discloses the use of a plurality of buoyant pads for integration with a swimsuit for maintaining an infant afloat.

The '838 patent also discloses a life jacket having a plurality of pockets which each contain buoyant material.

The '030 patent discloses a hydrotherapy vest for maintaining a person afloat in an upright position.

Also, the '135 patent discloses a flotation vest adapted for use for children including a front panel and a back panel with buoyant flotation material provided therein.

Each of these patents basically disclose flotation devices to be worn around the torso of a person for maintaining a person afloat. The other patents also show other flotation configurations which wrap around the torso of an individual having buoyant material such as kapok or the like to maintain the person buoyant in an upright position.

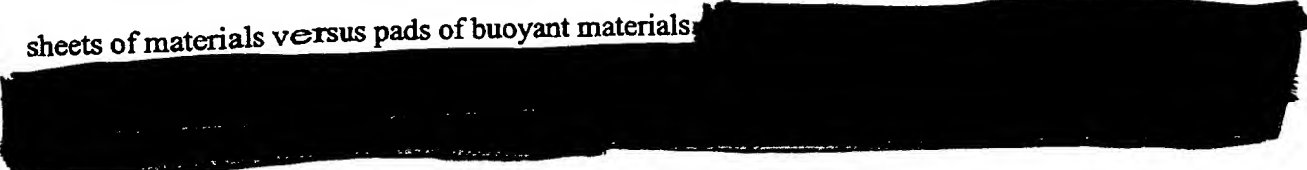
While none of the patents specifically disclose the utilization of sheets of buoyant materials instead of foam pads, the Examiner may state that it is a matter of design choice to use

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Ms. Patti Gilmer
May 21, 1999
Page 3

sheets of materials versus pads of buoyant materials.




Also, while the specific use of sheets of flotation material were not discovered in this search, such a structure may be disclosed in an unrelated patent in the apparel field of patents.

The search was conducted in Class 441 which relates to flotation devices and the various subclasses which related to flotation devices having front sides, back sides, and those which wrap around the torso, and the like.

Please contact me should you have any questions or comments.

Sincerely,



Gerald R. Boss

GRB:mps
Enclosure

(RUN 10/21/04 04:28pm)

Troutman Sanders

BILLING REP.....TONYA JEFFRIES
BILLING ATTORNEY:0729 KENNETH SOUTHALL

PAGE 1

DETAIL BILLING REPORT
THRU AUGUST 31, 1999
REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 138217.

FEES and DISBURSEMENTS

CLIENT 006208 FUTURE PRODUCTS CORPORATION
MATTER 101740 FPC3.PRV - PATENT APPLICATION FOR IMPROVED
FLOATATION SWIMSUIT

DATE BILLED 09/16/99
DATE BILLED THRU 08/31/99

CONTACT: PATTI GILMER

CLIENT SPECIAL BILLING SEND TO KEN SOUTHALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

| SEQUENCE | DATE | ***PROFESSIONAL SERVICES*** | HOURS WORKED | TKPR NO | TIMEKEEPER NAME | TIME VALUE THIS PERIOD | RUNNING TOTAL |
|----------|----------|--|-----------------|------------|--------------------|---------------------------|------------------|
| 3022891 | 08/09/99 | Conference with Patti Gilmer and Ken Southall regarding flotation swimsuit provisional patent application; review disclosure materials and patent search | 2.2 | 0716 | RS WILLIAMS | | |
| 3025460 | 08/09/99 | Meet with Patti Gilmer and patent agent, Roger Williams, for patent disclosure on new swimsuit | 1.0 | 0729 | K SOUTHALL | | |
| 3022892 | 08/19/99 | Prepare claims for provisional patent application | 2.7 | 0716 | RS WILLIAMS | | |
| 3030197 | 08/25/99 | Conference with Susan Balistrrie; prepare patent application | 2.3 | 0716 | RS WILLIAMS | | |
| | | | 8.2 | | *TIME VALUE TOTAL* | | |

| TIMEKEEPER SUMMARY | | | |
|--------------------|-------------------|----------|------------|
| TKPR (STATUS) | TIMEKEEPER | AVG RATE | LAST ENTRY |
| 0716 (AS) | ROGER S. WILLIAMS | | 12/21/01 |
| 0729 (PT) | KENNETH SOUTHALL | | 10/15/04 |

(RUN 10/21/04 04:28pm)

Troutman Sanders

PAGE 2

THRU AUGUST 31, 1999

DETAIL BILLING REPORT
REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 138217.

FEES and DISBURSEMENTS

DATE BILLED 09/16/99
DATE BILLED THRU 08/31/99

CLIENT 006208 FUTURE PRODUCTS CORPORATION
MATTER 101740 FPC3.PRV - PATENT APPLICATION FOR IMPROVED
FLOATATION SWIMSUIT

CONTACT: PATTI GILMER

MATTER SPECIAL BILLING
REQUIREMENTS

CLIENT SPECIAL BILLING SEND TO KEN SOUTHWALL FOR INITIAL
REQUIREMENTS REVIEW

FEES VALUE
LESS FEE ADVANCES RCVD
TOTAL FEES

FEES ACTUALLY BILLED
LESS: FEES BOA ACTUALLY RELIEVED
FEES BOA ADDED TO BILL
NET DISBURSEMENTS ACTUALLY BILLED
DISB BOA ADDED TO BILL

TOTAL ACTUALLY BILLED

TROUTMAN SANDERS LLP
ATTORNEYS AT LAW

CONFLICTS SEARCH TRANSMITTAL AND SUMMARY

FOR: Future Products

DATE: 8-19-99

DELIVER TO: _____ Floor _____ (then if applicable)

TO: _____ Floor _____

CLIENT ORIGINATING ATTORNEY MUST SEND TO SECTION CHIEF

REPRESENTATIVE TO CONTACT (if applicable):

____ Maureen T. Callahan (49)
____ Ralph H. Greil, Chairperson (51)
____ Stuart F. Pierson (DC)

____ Harvey A. Rosenzweig (44)
____ James L. Smith, III (47)
____ Eric A. Szveda (50)
____ Susan P. Wilkerson (44)

(If Ethics and Conflicts Screening Committee Representative checked is not available, it is his secretary's responsibility to re-route to another ECSC Representative after confirming their availability)

NAMES AND/OR ENTITIES SEARCHED:

Adaptation
Simsuit

COMMENTS:

**TROUTMAN SANDERS LLP
ATTORNEYS AT LAW**

No. Labels 3

Label(s) Only ☒

Matter No.: 101740
(To be Assigned by Records Center)

NEW MATTER FORM

Check if Supplement to New Matter Form ☐ Matter # _____ Submitted By: Ken Southall

1. Client Name: Future Products Corporation

2. Client Number: 6208

(If Nonbillable Client Circle Below)

| | |
|--------|---|
| 999990 | Nonbillable Legal Work (i.e., work for firm, partners/employees, wills/trusts for client employees) |
| 999991 | Charity/Pro Bono Work (i.e., civic org., Legal Aid Work) |
| 999992 | Firm Committees (i.e., exec., standing, etc.) |
| 999993 | Client Relations |
| 999994 | Business Development |
| 999995 | Continuing Legal Education (CLE & as instructor) |
| 999996 | Bar & Legal Activities (including writing articles) |
| 999998 | Firm Activities and Professional Reading (i.e., partnership, section meetings, billing, etc.) |

3. Matter Description

FPC3.PR.V Patent Application for Improved Floatation Swimsuit

4. Client Contact: Patti Gilmer

5. Department: _____

6. Practice (Type of Legal Service Being Provided for This Matter):
(Check one)

- ☐ Antitrust (14)
- ☐ Banking and Commercial Lending (05)
- ☐ Bankruptcy (18)
- ☐ Communications/Media/Entertainment (02)
- ☐ Construction (20)
- ☐ Corporate (03)
- ☐ Corporate Finance (17)
- ☐ Environmental (16)
- ☐ ERISA (15)
- ☐ Franchising (21)
- ☐ Healthcare (10)

- ☐ Immigration (09)
- ☐ International (12)
- ☐ Labor (08)
- ☐ Legislative Activities (22)
- ☐ Litigation (06)
- ☐ Mergers/Acquis. (13)
- ☒ Patent/Trademark/Copyright (19)
- ☐ Public Utilities (01)
- ☐ Real Estate (04)
- ☐ Tax (11)
- ☐ Trusts & Estates (07)

7. Name and Title of Person at Client to whom Bills Should be Directed (include address only if different from client level information):

Billing Contact: Patti Gilmer
Title: _____
Billing Address: P.O. Box 2993

City/State: Gainesville, Georgia Zip: 30503
(For additional billing addresses use addendum.)

8. Telephone: (706) 776-6072 Fax: (706) 776-9180
(Include Area Code) (Include Area Code)

9. Billing Attorney: Joel S. Goldman Atty#: 0355

10. Matter Originating Attorney: Kenneth Southall Atty#: 0729
(If Different From Client Originating Attorney)

11. BILLING CYCLE - UNLESS OTHERWISE NOTED, FEES TO BE BILLED MONTHLY ON STRAIGHT TIME BASIS AT REGULAR HOURLY RATES.

Check one if Alternative Billing Cycle Applies:

- ☒ Monthly
☐ Bimonthly
☐ Quarterly
☐ Semiannually
☐ Annually
☐ Upon Request
☐ Upon Conclusion

12. Joint Bill No. (if applicable): _____ Matter Series Code (if applicable): _____

13. Matter Reference No. (if applicable): _____

14. If Representation With Respect to This Matter is to Proceed Without Engagement Letter or Written Fee Agreement Describe Manner by Which Fee Arrangement Was Conveyed to Client and Upon What Date. If a Special Fee or Bill Rate Applies, Use Special Fee Agreement or Alternate Rates Addendum.

15. Does Client Require Special Phase/Task/Activity Billing? Yes ☐ No ☒ (Check one)

Return File to: Kenneth Southall

16. List All Attorneys Working on This Matter: (Initials/Number)

| | | | | | | |
|---------|--|--|--|--|--|--|
| KS/0729 | | | | | | |
|---------|--|--|--|--|--|--|

17. Is the Client Changing Law Firms on This Matter, or are There Any Other Conflicts or Risk Factors Which Should be Considered Prior to Undertaking this Representation?

Yes ☐ No ☒ (Check one)

If Yes, specify: _____

18. Is the Client or any of its Affiliated Companies of Which You are Aware Engaged in the Wholesale or Retail Marketing of Electricity, Natural Gas, or Other Energy Commodities?

Yes ☐ No ☒ (Check one)

If Yes, specify: _____

19. If File is Not to Appear on New Business Report, a Memo Must Accompany This Form Explaining Why it Should Not be Included.

CODES TO BE USED FOR QUESTIONS 20 AND 21

AP Adverse Party in Controversy
AD Affiliate/Division/Parent/
 Subsidiary
AR Arbitrator
BF Beneficiary
BR Borrower/Mortgagor
BK Broker
CA Collection Agency
CR Creditor
DB Debtor
DF Co-Defendant
DL Entity with which our client
 is negotiating in a deal

EA Escrow Agent
EM Employee
ER Employer
ES Estate/Trust
EX Executor/Administrator
FD Fiduciary/Settlor/Testator/
 Trustee
GE Grantee
GR Grantor
GU Guarantor
IN Insurer/Insured
IP Interested Party/Not Adverse
IQ Interested Party/Adverse

LL Landlord
LD Lender/Mortgagee
MR Manager
PO Director/Officer/In-House
 Counsel
PC Property/Entity Managed or
 Owned by Party
PU Purchaser
RL Relative
SL Seller
SD Shareholder/Owner/Partner
TN Tenant
WI Witness

***20. List All Individuals or Entities Involved in this Matter ADVERSE to Our Client. (Include corporate affiliates and partners of ADVERSE PARTIES to the extent practicable):**

| | Code | | Code |
|--|------|--|------|
| | | | |
| | | | |
| | | | |
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| | | | |
| | | | |

***21. List all individuals or Entities Involved in this Matter With Interests NOT ADVERSE TO OUR Client:**

| | Code | | Code |
|----------------------------|------|--|------|
| Impured Flotation Swimsuit | | | PN |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

*** Use Addendum If Necessary.**

*22. To the Extent known, Include All Counsel Involved in this Matter.

| COUNSEL CODES | | |
|----------------------|----------------------------------|-------------------|
| OP: Opposing Counsel | AC: Associate Counsel/Co-Counsel | OT: Other Counsel |

| Counsel's Name | Counsel's Firm | Counsel's Client | Code |
|----------------|----------------|------------------|------|
| | | | |
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23. A Green Conflict Memo Should Normally be Circulated When Opening New Matters, and When Used, a Copy Should be Provided to the Records Center.

* Use Addendum If Necessary.

****FORWARD ORIGINAL TO THE RECORDS CENTER FOR CONFLICTS CHECK****

FOR RECORDS CENTER USE ONLY

Conflict Check Completed by: _____

Date: 8/19/99

List Attached: _____

Nothing Found: _____

Note: _____

Directory of Corporate Affiliations Report:

Completed By: _____

Date: _____

NA: ☒

List Attached: ☐

Nothing Found: ☐

APPROVAL

Undersigned has investigated conflicts of interest data base reports (Conflicts Report) received from Records Center, and has resolved any apparent conflicts appearing on the face of those reports, and believes there is no actual or potential conflict.

Client Originating Attorney

Matter Originating Attorney
(if different from client)

Date: _____

Date: _____

Please address any apparent conflict(s) on the attached conflicts report.

Undersigned has reviewed the foregoing completed form and Conflicts Report, has conferred with the Client/Matter Originating Attorney, as necessary, and believes that handling the matter would be consistent with the policies of the Firm.

Section Chief or Designee

Date

TO BE SUBMITTED TO THE ETHICS AND CONFLICTS SCREENING COMMITTEE (ECSC) ONLY (1) IN CONNECTION WITH INITIAL CLIENT FORM; (2) WHEN MATTER INVOLVES ANY NON-PRIVATE OFFERING OF SECURITIES, ZONING, OR LOBBYING; (3) UNUSUAL FEES SUCH AS CONTINGENCY FEES (CONTINGENCY FEES MUST BE APPROVED BY THE FIRM'S EXECUTIVE COMMITTEE) OR ITS DELEGATE(S); (4) WHEN NEW MATTER RAISES A CONFLICT ISSUE; OR (5) THE ORIGINATING ATTORNEY OR SECTION CHIEF DEEMS IT ADVISABLE.

Undersigned has reviewed the foregoing completed form and Conflicts Report, has conferred with the Client/Matter Originating Attorney and Section Chief, as necessary, and believes that handling the matter would be consistent with the policies of the Firm.

Member - Ethics and Conflicts Screening Committee (ECSC)

Date

ROUTE TO: (Please check when received)

- ☐ 1. Records Center for Conflicts Check
- ☐ 2. Matter Originating Attorney (If applicable)
- ☐ 3. Client Originating Attorney
- ☐ 4. Section Chief
- ☐ 5. ECSC
- ☐ 6. Records Center

The opening of the New Matter File has been processed by: _____

Date: 08/23/99

(RUN 10/21/04 04:28pm)

Troutman Sanders

PAGE 1

THRU AUGUST 31, 1999

BILLING REP.: TONYA JEFFRIES

BILLING ATTORNEY: 0729 KENNETH SOUTHALL

DETAIL BILLING REPORT

REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 138217.

FEES and DISBURSEMENTS

DATE BILLED 09/16/99

DATE BILLED THRU 08/31/99

CLIENT 006208 FUTURE PRODUCTS CORPORATION

MATTER 101740 FPC3.PRIV - PATENT APPLICATION FOR IMPROVED

FLOATATION SWIMSUIT

CONTACT: PATTI GILMER

MATTER SPECIAL BILLING

SEND TO KEN SOUTHALL FOR INITIAL

REQUIREMENTS REVIEW

REQUIREMENTS

| SEQUENCE | DATE | ***PROFESSIONAL SERVICES*** | HOURS WORKED | TKPR NO | TIMEKEEPER NAME | TIME VALUE THIS PERIOD | RUNNING TOTAL |
|----------|------|-----------------------------|--------------|---------|-----------------|------------------------|---------------|
|----------|------|-----------------------------|--------------|---------|-----------------|------------------------|---------------|

| | | | | | | | |
|---------|----------|---|-----|------|-------------|--|--|
| 3022891 | 08/09/99 | Conference with Patti Gilmer and Ken Southall regarding | 2.2 | 0716 | RS WILLIAMS | | |
|---------|----------|---|-----|------|-------------|--|--|

flotation swimsuit provisional patent application; review

disclosure materials and patent search

| | | | | | | | |
|---------|----------|--|-----|------|------------|--|--|
| 3025460 | 08/09/99 | Meet with Patti Gilmer and patent agent, Roger Williams, | 1.0 | 0729 | K SOUTHALL | | |
|---------|----------|--|-----|------|------------|--|--|

for patent disclosure on new swimsuit

| | | | | | | | |
|---------|----------|---|-----|------|-------------|--|--|
| 3022892 | 08/19/99 | Prepare claims for provisional patent application | 2.7 | 0716 | RS WILLIAMS | | |
|---------|----------|---|-----|------|-------------|--|--|

| | | | | | | | |
|---------|----------|---|-----|------|-------------|--|--|
| 3030197 | 08/25/99 | Conference with Susan Balistrie; prepare patent application | 2.3 | 0716 | RS WILLIAMS | | |
|---------|----------|---|-----|------|-------------|--|--|

| | | | | | | | |
|-----|--------------------|--|--|--|--|--|--|
| 8.2 | *TIME VALUE TOTAL* | | | | | | |
|-----|--------------------|--|--|--|--|--|--|

=====

TIMEKEEPER SUMMARY

| KPR (STATUS) | TIMEKEEPER | AVG RATE | HOURS | VALUE | LAST ENTRY |
|--------------|------------|----------|-------|-------|------------|
|--------------|------------|----------|-------|-------|------------|

| | | | | | |
|-----------|-------------------|--|--|--|----------|
| 0716 (AS) | ROGER S. WILLIAMS | | | | 12/21/01 |
|-----------|-------------------|--|--|--|----------|

| | | | | | |
|-----------|------------------|--|--|--|----------|
| 0729 (PT) | KENNETH SOUTHALL | | | | 10/15/04 |
|-----------|------------------|--|--|--|----------|

(RUN 10/21/04 04:28pm)

Troutman Sanders

BILLING REP.....:TONYA JEFFRIES
BILLING ATTORNEY:0729 KENNETH SOUTHALL

PAGE 2

DETAIL BILLING REPORT
THRU AUGUST 31, 1999
REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 138217.

CLIENT 006208 FUTURE PRODUCTS CORPORATION DATE BILLED 09/16/99 FEES and DISBURSEMENTS

MATTER 101740 FPC3.PRIV - PATENT APPLICATION FOR IMPROVED FLOATATION SWIMSUIT DATE BILLED THRU 08/31/99

CONTACT: PATTI GILMER

CLIENT SPECIAL BILLING REQUIREMENTS SEND TO KEN SOUTHALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

FEES VALUE
LESS FEE ADVANCES RCVD
TOTAL FEES

FEES ACTUALLY BILLED
LESS: FEES BOA ACTUALLY RELIEVED
FEES BOA ADDED TO BILL
NET DISBURSEMENTS ACTUALLY BILLED
DISB BOA ADDED TO BILL

TOTAL ACTUALLY BILLED

Troutman Sanders

.....:TONYA JEFFRIES

ATTORNEY:0729 KENNETH SOUTHALL

DETAIL BILLING REPORT

THRU OCTOBER 31, 1999

PAGE 1

REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 140822.

FEES and DISBURSEMENTS

DATE BILLED 11/03/99

CLIENT 006208 FUTURE PRODUCTS CORPORATION

MATTER 101740 FPC3.PRIV - PATENT APPLICATION FOR IMPROVED

DATE BILLED THRU 10/31/99

FLOTATION SWIMSUIT

CONTACT: PATTI GILMER

CLIENT SPECIAL BILLING REQUIREMENTS SEND TO KEN SOUTHALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

SEQUENCE DATE ***PROFESSIONAL SERVICES*** HOURS WORKED TKPR NO TIMEKEEPER NAME TIME VALUE RUNNING THIS PERIOD TOTAL

3097370 10/08/99 Prepare draft of patent application of new swimsuit design 5.2 0729 K SOUTHALL [REDACTED]

3086434 10/12/99 Prepare provisional patent application from flotation 0.6 0716 RS WILLIAMS [REDACTED]

swimsuit for FPC3

3086433 10/13/99 Prepare provisional patent application from flotation 6.2 0716 RS WILLIAMS [REDACTED]

swimsuit for FPC3

3099384 10/13/99 Telephone conference with Patti Gilmer regarding status of patent application; conference with Roger Williams regarding same; review present version of patent application; make suggested changes 2.6 0729 K SOUTHALL [REDACTED]

3086425 10/15/99 Prepare provisional patent application from flotation 1.1 0716 RS WILLIAMS [REDACTED]

swimsuit

3092577 10/18/99 Prepare provisional patent application 5.2 0716 RS WILLIAMS [REDACTED]

3103027 10/18/99 Prepare draft of provisional patent application for new swimsuit design 2.4 0729 K SOUTHALL [REDACTED]

swimsuit design

3092576 10/19/99 Prepare provisional patent application 4.3 0716 RS WILLIAMS [REDACTED]

3092575 10/20/99 Prepare provisional patent application 0.4 0716 RS WILLIAMS [REDACTED]

3103050 10/21/99 Prepare draft of provisional patent application; check on status of pending patent application and issued patent 4.8 0729 K SOUTHALL [REDACTED]

3092574 10/22/99 Revise provisional patent application from flotation 3.9 0716 RS WILLIAMS [REDACTED]

swimsuit; edit and number drawings

Troutman Sanders

PAGE 2

THRU OCTOBER 31, 1999

DETAIL BILLING REPORT

REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 140822.

FEES and DISBURSEMENTS

DATE BILLED 11/03/99
DATE BILLED THRU 10/31/99

CLIENT 006208 FUTURE PRODUCTS CORPORATION
ATTORNEY 101740 FPC3.PRIV - PATENT APPLICATION FOR IMPROVED
FLOATATION SWIMSUIT
CONTACT: PATTI GILMER

CLIENT SPECIAL BILLING SEND TO KEN SOUTHALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

| SEQUENCE | DATE | ***PROFESSIONAL SERVICES*** | HOURS WORKED | TKPR NO | TIMEKEEPER NAME | TIME VALUE THIS PERIOD | RUNNING TOTAL |
|----------|------|-----------------------------|-----------------|------------|--------------------|---------------------------|------------------|
|----------|------|-----------------------------|-----------------|------------|--------------------|---------------------------|------------------|

| | | | | | | | |
|---------|----------|---|-----|------|------------|--|--|
| 3103080 | 10/25/99 | Review draft of patent application; discuss same with Dr. Williams; telephone conference with Ms. Gilmer regarding status of provisional patent application | 2.6 | 0729 | K SOUTHALL | | |
|---------|----------|---|-----|------|------------|--|--|

| | | | | | | | |
|---------|----------|--|-----|------|-------------|--|--|
| 3103277 | 10/25/99 | Conference with Jerre Boss regarding review of application | 0.2 | 0716 | RS WILLIAMS | | |
|---------|----------|--|-----|------|-------------|--|--|

Claims

| | | | | | | | |
|---------|----------|--|-----|------|------------|--|--|
| 3101352 | 10/28/99 | Review and edit provisional patent application; discuss claims with Mr. Boss; prepare same for execution by Ms. Gilmer | 3.9 | 0729 | K SOUTHALL | | |
|---------|----------|--|-----|------|------------|--|--|

| | | | | | | | |
|---------|----------|--|-----|------|---------|--|--|
| 3101385 | 10/28/99 | review patent application and invention disclosure | 1.0 | 0707 | GR BOSS | | |
|---------|----------|--|-----|------|---------|--|--|

| | | | | | | | |
|---------|----------|---|-----|------|---------|--|--|
| 3101388 | 10/29/99 | Conference with Roger Williams regarding invention and patent application | 0.6 | 0707 | GR BOSS | | |
|---------|----------|---|-----|------|---------|--|--|

| | | | | | | | |
|---------|----------|--|-----|------|-------------|--|--|
| 3103269 | 10/29/99 | Revise provisional patent application; conference with Jerre Boss regarding review of application claims; telephone conference with Patti Gilmer | 1.6 | 0716 | RS WILLIAMS | | |
|---------|----------|--|-----|------|-------------|--|--|

46.6 *TIME VALUE TOTAL*

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BILLING REP.: TONYA JEFFRIES
BILLING ATTORNEY: 0729 KENNETH SOUTHWALL

DETAIL BILLING REPORT
THRU OCTOBER 31, 1999
REPRINT. THIS DBR WAS BILLED ON INVOICE NUMBER: 140822.

CLIENT 006208 FUTURE PRODUCTS CORPORATION
MATTER 101740 FPC3.PRV - PATENT APPLICATION FOR IMPROVED
FLOTATION SWIMSUIT
DATE BILLED 11/03/99
DATE BILLED THRU 10/31/99
FEES and DISBURSEMENTS

CONTACT: PATTI GILMER

CLIENT SPECIAL BILLING REQUIREMENTS
SEND TO KEN SOUTHWALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

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TIMEKEEPER SUMMARY

| TKPR (STATUS) | TIMEKEEPER | AVG RATE | HOURS | VALUE | LAST ENTRY |
|---------------|-------------------|----------|-------|-------|------------|
| 0707 (PT) | GERALD R. BOSS | | 1.6 | | 10/17/04 |
| 0716 (AS) | ROGER S. WILLIAMS | | 23.5 | | 12/21/01 |
| 0729 (PT) | KENNETH SOUTHWALL | | 21.5 | | 10/15/04 |

FEES VALUE
LESS FEE ADVANCES RCVD
TOTAL FEES

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FEES BOA ADDED TO BILL
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DISB BOA ADDED TO BILL

TOTAL ACTUALLY BILLED

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PAGE 1

THRU DECEMBER 31, 1999

DETAIL BILLING REPORT

BILLING REP.....:TONYA JEFFRIES

BILLING ATTORNEY:0729 KENNETH SOUTHWALL

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FEES and DISBURSEMENTS

DATE BILLED 01/14/00 DATE BILLED THRU 12/31/99

CLIENT 006208 FUTURE PRODUCTS CORPORATION
MATTER 101740 FPC3.PRIV - PATENT APPLICATION FOR IMPROVED
FLOATATION SWIMSUIT

CONTACT: PATTI GILMER

CLIENT SPECIAL BILLING SEND TO KEN SOUTHWALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

PROFESSIONAL SERVICES

| SEQUENCE | DATE | HOURS WORKED | TKPR NO | TIMEKEEPER NAME | TIME VALUE THIS PERIOD | RUNNING TOTAL |
|----------|----------|-----------------|------------|--------------------|---------------------------|--------------------|
| 3110190 | 11/01/99 | 0.6 | 0716 | RS WILLIAMS | | |
| 3110189 | 11/02/99 | 0.4 | 0716 | RS WILLIAMS | | |
| 3110188 | 11/03/99 | 0.3 | 0716 | RS WILLIAMS | | |
| 3110187 | 11/05/99 | 2.1 | 0716 | RS WILLIAMS | | |
| 3117336 | 11/08/99 | 1.2 | 0716 | RS WILLIAMS | | |
| 3117391 | 11/10/99 | 0.4 | 0988 | LL O'BRIEN | | |
| 3148421 | 12/10/99 | 1.2 | 0716 | RS WILLIAMS | | |
| 6.2 | | | | | | *TIME VALUE TOTAL* |

CLIENT 006208 FUTURE PRODUCTS CORPORATION DATE BILLED 01/14/00 FEES and DISBURSEMENTS
MATTER 101740 FPC3.PRIV - PATENT APPLICATION FOR IMPROVED DATE BILLED THRU 12/31/99
CONTACT: PATTI GILMER
CLIENT SPECIAL BILLING SEND TO KEN SOUTHALL FOR INITIAL REVIEW
MATTER SPECIAL BILLING REQUIREMENTS

=====

| TIMEKEEPER SUMMARY | | | | |
|--------------------|---------------------|----------|-------|------------------|
| TKPR (STATUS) | TIMEKEEPER | AVG RATE | HOURS | VALUE LAST ENTRY |
| 0716 (AS) | ROGER S. WILLIAMS | | 5.8 | 12/21/01 |
| 0988 (PL) | LARA LAWSON O'BRIEN | | 0.4 | 09/22/00 |

FEES VALUE
LESS FEE ADVANCES RCVD
TOTAL FEES

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| | |
|-----------------------------------|------|
| FEES ACTUALLY BILLED | |
| LESS: FEES BOA ACTUALLY RELIEVED | 0.00 |
| FEES BOA ADDED TO BILL | 0.00 |
| NET DISBURSEMENTS ACTUALLY BILLED | 0.00 |
| DISB BOA ADDED TO BILL | |
| TOTAL ACTUALLY BILLED | |

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TROUTMAN SANDERS LLP

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A LIMITED LIABILITY PARTNERSHIP

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Roger S. Williams, Ph.D.
roger.williams@troutmansanders.com

Direct Dial: 404-885-3582
Direct Fax: 404-962-6833

October 29, 1999

VIA FEDERAL EXPRESS

Ms. Patti C. Gilmer
Future Products Corporation
P.O. Box 2993
Gainesville, GA 30503

**Re: Proposed U.S. Provisional Patent Application entitled "Flotation Swimsuit
and Method for Construction Thereof"**
Our Reference: FPC3 (6208.101740)

Dear Patti:

Enclosed is a copy of the provisional patent application for the above-referenced invention for you to review. Provisional applications are typically filed in instances in which time is critical or in which coverage is being sought for an invention for which a final embodiment has not yet been selected. While a provisional patent application can not mature directly into a patent, the filing of this application will effectively lock in the priority date for the disclosed idea for up to one year after it is filed. At the end of one year, the provisional application will be automatically abandoned unless a normal utility or design patent application was filed during the year in which the provisional application was pending. Accordingly, we highly recommend that you file a normal utility or design patent application once you have more fully developed the commercial embodiment of the current invention.

When reviewing the contents of the proposed provisional patent application, please pay special attention to the completeness and accuracy of the application to ensure the following. First, ensure that the written description and figures describe the invention in sufficient detail to **enable a person of ordinary skill in the art** (such as an ordinary swimsuit manufacturer) to implement the invention. Second, ensure that the **best known mode** for implementing the invention is disclosed. Please contact me directly if you have any suggested changes or additional material which you wish to include in the application.

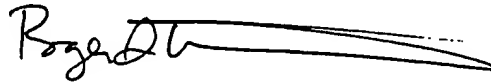
TROUTMAN SANDERS LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

Ms. Patti C. Gilmer
October 29, 1999
Page 2

After reviewing the patent application, please sign the enclosed Statement Claiming Small Entity status and return it to us as soon as possible. We will then forward it and the other necessary filing documents to the United States Patent and Trademark Office.

If you have any questions regarding any of the above, please call me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger S. Williams", followed by a long horizontal flourish.

Roger S. Williams
Patent Agent

Enclosures

cc: Kenneth Southall, Esq.

Ray W. Gunnin Sr.
8715 Skitts Mt. Rd.
Clermont, Ga. 30527

FACSIMILE COVER SHEETPLEASE DELIVER THE FOLLOWING PAGES TO:

NAME Roger S. Williams PHONE NO. 404-885-3582

Sent to _____ FAX NO. 404-962-6833

FROM Patti Gilmer, Future Products DATE _____

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We are transmitting a total of 4 pages, including the cover sheet.

If you do not receive all pages, please call 770-983-9893 as soon as possible.

Message:

Re US Provisional Patent application

Revised pages

IF you cant read this call

Patti 770-983-3042

Ray

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THANK YOU.

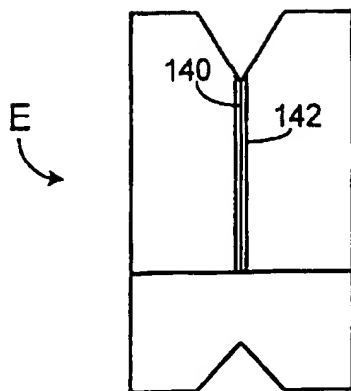
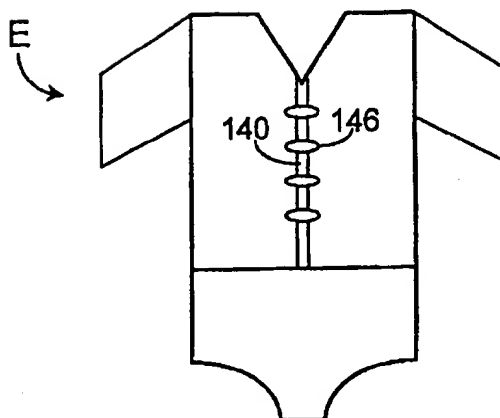


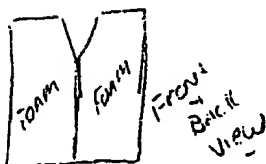
FIG. 10A

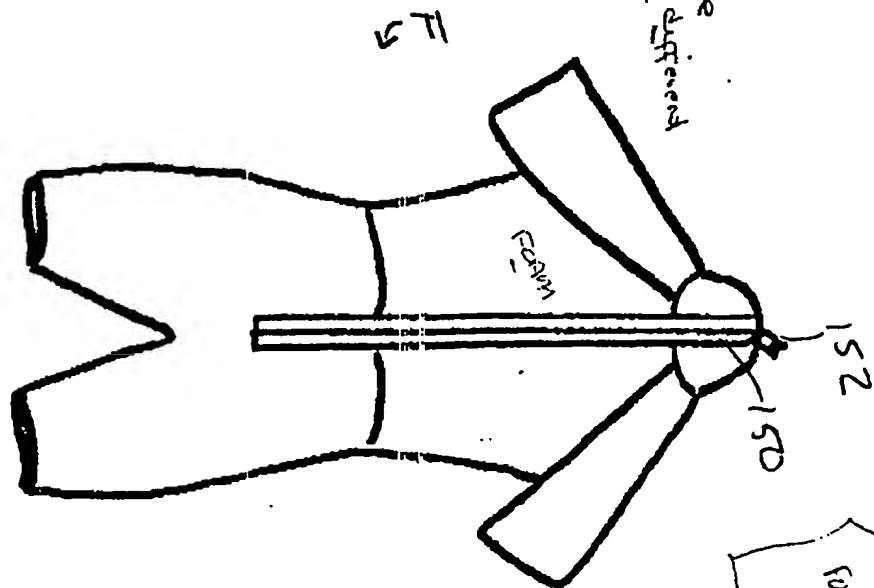
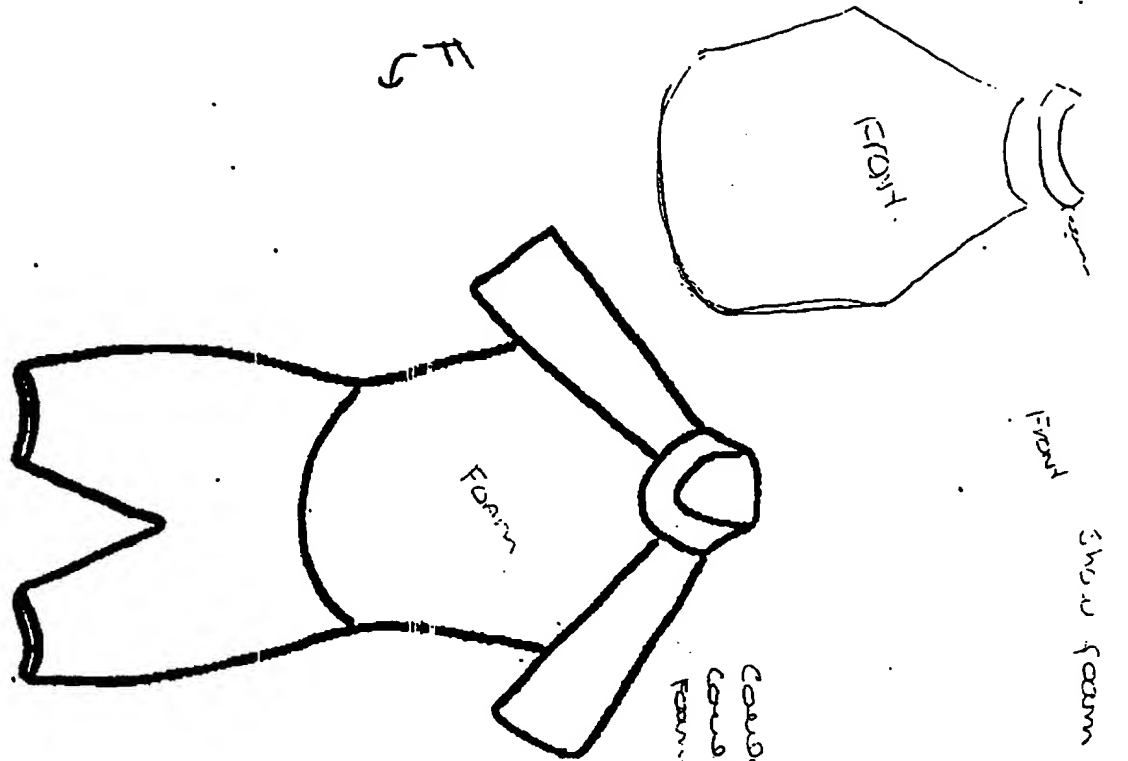


show front + back

FIG. 10B

show side view of
front and back



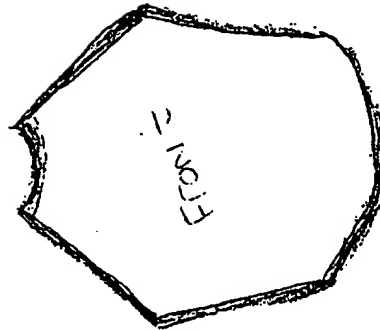


For smaller sized foam
would come up around neck.

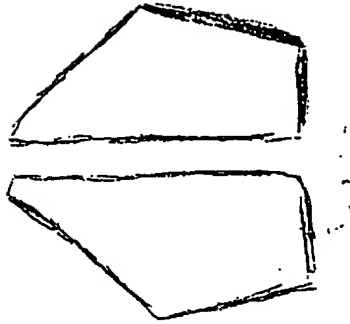
Foam would be molded
on the body shape.

combining style & comfort to make
more desirable for wearing. this helps
prevent foam from coming down to skin.

① - foam collar -
could be used for extra
support especially in smaller sizes



Foam
to be molded
or cut - could be
in different shapes
or sizes



1. We are trying to create a relaxed feeling in the water. By giving the wearer stability w/ buoyancy yet a completely natural feel, the wearer can actually learn to swim and not be dependent on a flotation device.

Page 2.

There are also suits on the market that have open at the top pockets meaning the foam can be removed by the wearer or by accident when entering the water.

- Closing the top of the pockets is the most difficult step in our manufacturing.

Page 15.

Some of the statements + claims are for Coast Guard approved devices. I want to make sure we can produce ^{regular} flotation and PFD's under these new styles.
aids

New styles are hopefully giving more style + wearability especially for older wearers.

The styles w/ sleeves also help protect from damaging sun rays.

**PROVISIONAL APPLICATION
FILING RECEIPT
CORRECTED**



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231**

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTORNEY DOCKET NO. | DRWGS | TOT CL | IND CL |
|--------------------|-------------|--------------|---------------|---------------------|-------|--------|--------|
| 60/164,305 | 11/08/99 | | \$75.00 | 6208.101740 | 9 | | |

**KENNETH SOUTHALL
TROUTMAN SANDERS LLP SUITE 5200
600 PEACHTREE STREET NE
ATLANTA GA 30308**

RECEIVED

FEB 11 2000

Lara L. O'Brien

Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Provisional Application Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate). This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

Applicant(s) PATTI C. GILMER, LULA, GA.

**IF REQUIRED, FOREIGN FILING LICENSE GRANTED 11/29/99 ** SMALL ENTITY **
TITLE
FLOTATION SWIMSUIT AND METHOD OF CONSTRUCTION THEREOF**

DATA ENTRY BY: ELLIS-FREEMA, ANDREA TEAM: 05 DATE: 02/04/00





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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|--------------------|----------|------------|------------|
| 09/708,309 | 11/07/2000 | 3617 | 435 | FPC3 (6208.tba) | 11 | 14 | 5 |

CONFIRMATION NO. 1250
CORRECTED FILING RECEIPT



OC000000006062287

Kenneth Southall
Troutman Sanders LLP
600 Peachtree Street NE
Suite 5200
Atlanta, GA 30308-2216

Date Mailed: 05/10/2001

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Applicant(s)

Patti C. Gilmer, Lula, GA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/164,305 11/08/1999

Foreign Applications

If Required, Foreign Filing License Granted 01/19/2001

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ******Title**

Flotation swimsuit and method for construction thereof

Preliminary Class

441

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